

HOUSE BILL REPORT

HB 1272

As Reported By House Committee On:

Agriculture & Ecology

Title: An act relating to gasoline vapor recovery at service stations and other dispensing facilities.

Brief Description: Recovering gasoline vapors.

Sponsors: Representatives Chandler, Mastin, Blanton, Johnson, Kremen, Sherstad, Elliot and Backlund.

Brief History:

Committee Activity:

Agriculture & Ecology: 1/30/95, 2/15/95 [DPS].

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Chandler, Chairman; Koster, Vice Chairman; McMorris, Vice Chairman; Mastin, Ranking Minority Member; Chappell, Assistant Ranking Minority Member; Boldt; Clements; Delvin; Honeyford; Johnson; Kremen; Regala; Robertson and Schoesler.

Minority Report: Without recommendation. Signed by 3 members: Representatives R. Fisher; Poulsen and Rust.

Staff: Rick Anderson (786-7114).

Background: Gasoline vapors are one source of volatile organic compounds (VOCs). Gasoline vapor recovery devices used at service stations are one way to reduce VOC emissions. The Department of Ecology estimates that gasoline vapor recovery devices represent about 20 percent of the overall VOC reduction strategy.

Ground level ozone is formed when VOCs combine with oxides of nitrogen in the presence of sunshine. The federal standard for ozone is .12 parts per million. An area becomes a non-attainment area if the standard is exceeded a total of four or more times during any three consecutive years. Washington has two areas in "marginal" non-attainment for ozone: Puget Sound and Vancouver. In the past two years, Puget Sound has exceeded the standard twice; Vancouver has exceeded it once.

Federal law does not mandate installment of gasoline vapor recovery devices at gasoline service stations in marginal non-attainment areas. Federal law does require that these areas develop a plan that will ensure that the ozone threshold will not be exceeded for at least 20 years. Failure to meet this requirement results in a new classification of "moderate non-attainment".

Rules adopted by the Department of Ecology require gasoline vapor recovery devices in those western Washington service stations that pump more than a specified volume of gas in a year. The volume threshold is lower in ozone non-attainment areas than in attainment areas. The requirement to install the devices is phased over a four year period, from 1994 to 1998. Under Ecology's rules, about 40 percent of services stations in western Washington would be required to install gasoline vapor recovery devices.

Subsequent to the department's rules, the federal Environmental Protection Agency has adopted rules requiring automobile manufacturers to install on-board canisters on new cars beginning in 1998. On-board canisters are devices which capture and condense gasoline vapors. By the year 2000, all cars must be manufactured with on-board canisters. Manufacturers of light duty trucks will be required to begin installing on-board canisters beginning in 2001. Manufacturers of heavy duty trucks will be required to begin installing on-board canisters in 2004.

The Department of Ecology estimates that on-board canisters will equal the VOC reduction ability of gasoline vapor recovery devices at service stations in 2008.

Summary of Substitute Bill: Gasoline vapor recovery devices may only be required at service stations supplying fuel to the general public that are located in a federally designated non-attainment area for ozone.

Substitute Bill Compared to Original Bill: The original bill eliminated the administrative requirement to install vapor recovery devices in all areas of the state. The substitute bill requires installation only in ozone non-attainment areas.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill contains an emergency clause and takes effect immediately.

Testimony For: Stage II requirements at service stations are costly, cause problems for consumers, and are not significantly contributing to cleaner air in ozone non-attainment areas. Stage II requirements will soon become redundant when vehicle manufacturers are required to install on-board vapor recovery devices. The federal

Environmental Protection has backed away from regulations requiring stage II in moderate ozone non-attainment areas. Stage II requirements adversely affect the economics of smaller volume gas stations.

Testimony Against: The stage II requirements are one of the most cost-effective ways to reduce the formation of ozone, and are an important part of the strategy for bringing the non-attainment areas into compliance with federal law. The bill will result in other businesses having to reduce their VOC emissions. The cost of those reductions, on a per ton basis, will likely be significantly more expensive than stage II requirements at service stations.

Testified: Mike Sciacca, Washington Oil Marketers Association (pro); Kay Jones, Washington Oil Marketers Association (pro); Scott Nelson, Southland Corporation (pro); Bob DeNinno, Southland Corporation (pro); Jeff Justin, Minute Mart L.P. (pro); Bruce Holmstrom, Vancouver Oil Company (pro); Tim Hamilton, Automotive United Trades Organization (pro); Terry Pyle, Plaid Pantries, Inc. (pro); Stu Clark, Department of Ecology (con); Dennis McLerran, Puget Sound Air Pollution Control Agency (con); Vern Lindskog, Western States Petroleum Association (con); and Bruce Wishart, Sierra Club (con).